

MINUTES OF THE UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

GMW FIRE PROTECTION, INC., vs. KANAG' IQ CONSTRUCTION COMPANY,  
EX REL INC., ET AL

BEFORE THE HONORABLE TIMOTHY M. BURGESS  
CASE NO. 3:05-cv-00170-TMB

DEPUTY CLERK/RECORDER: APRIL KARPER

APPEARANCES: PLAINTIFF: SARAH TUGMAN

DEFENDANT: THOMAS GINGRAS

PROCEEDINGS: TRIAL BY JURY - DAY 1 HELD JANUARY 22, 2008:

At 9:14 a.m. court convened with Juror #17 present.

Individual voir dire conducted with Juror #17.

At 9:17 a.m. Juror #17 exited the courtroom.

At 9:18 a.m. Juror #17 excused for cause.

Witness exclusionary rule invoked.

At 9:27 a.m. 35 prospective jurors entered the courtroom.

Court heard. Parties introduced themselves.

Oath as to qualifications administered.

General voir dire conducted.

At 9:46 a.m. Juror #26 excused for cause.

At 10:01 a.m. Juror #31 excused for cause.

At 10:14 a.m. Juror #24 excused for cause.

At 10:18 a.m. Juror #11 excused for cause.

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At 10:19 a.m. Juror #28 excused for cause.

At 10:20 a.m. Juror #3 excused for cause.

At 10:39 a.m. Jurors #2, #27, #5, and #35 excused for cause.

Court instructed clerk to call 14 names; 14 names called.

Individual void dire conducted.

At 11:01 a.m. court thanked and excused the excess prospective jurors.

At 11:03 a.m. court recessed until 11:25 a.m. without the prospective jurors present.

Court and counsel heard re peremptory challenges.

At 11:29 a.m. 14 prospective jurors entered the courtroom.

Peremptory challenges taken; jury panel of 10 selected.

Oath as to trial jurors administered.

Preliminary jury instructions read.

At 11:47 a.m. the jury panel exited the courtroom.

Court and counsel heard re exhibits.

At 11:55 a.m. court recessed until 1:04 p.m. without the jury panel present.

At 1:06 p.m. the jury panel entered the courtroom.

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Court and counsel heard re jury note.

At 1:07 p.m. the jury panel exited the courtroom with the exception of Juror #3.

Individual voir dire conducted with Juror #3.

At 1:08 p.m. Juror #3 exited the courtroom.

At 1:09 p.m. Juror #4 entered the courtroom; individual voir dire conducted with Juror #4.

At 1:10 p.m. the jury panel entered the courtroom.

Opening arguments heard.

Glenn Floyd Johnson sworn and testified on behalf of the plaintiff. Plaintiff's exhibits 6-9, 11, 14-47, 118, 120-123, 125, 126, 144, and 152 **IDENTIFIED** (previously admitted by stipulation). Plaintiff's exhibit 1 **IDENTIFIED**. Plaintiff's exhibit 12 **ADMITTED**.

At 2:42 p.m. the jury panel exited the courtroom.

At 2:42 p.m. court recessed until 3:05 p.m. without the jury panel present.

Court and counsel heard re witnesses

At 3:06 p.m. the jury panel entered the courtroom.

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Glenn Floyd Johnson resumed the stand and testified further on behalf of the plaintiff. Plaintiff's exhibit 64 and 154 **IDENTIFIED**. Plaintiff's exhibits 48-51, 53-63, 65-98, 101-111, 113-117, 130-143, 146, 148-151, and 153 **IDENTIFIED** (previously admitted by stipulation). Plaintiff's exhibits 145 and 147 **ADMITTED**.

At 4:23 p.m. the jury panel exited the courtroom to reconvene Wednesday, January 23, 2008 at 9:00 a.m.

Court and counsel heard re exhibits and witnesses.

At 4:39 p.m. court recessed this matter to reconvene Wednesday, **January 23, 2008 at 9:00 a.m.**

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